



ENVIRONMENTAL RESTORATION

U.S. Army Environmental Center

ARMY INTERIM GUIDANCE FOR

CONDUCTING COMPREHENSIVE ENVIRONMENTAL RESPONSE COMPENSATION AND LIABILITY ACT

(CERCLA) FIVE-YEAR REVIEWS

1. On 5 April 2000, the Army issued Interim Army Guidance for Conducting CERCLA Five-Year Reviews. The reviews, specifically required by CERCLA § 121(c) and the National Contingency Plan, Part 300.430(f)(4)(ii), are to occur no less often than every five years for remedial actions at sites addressed under CERCLA that do not allow unlimited use and unrestricted exposure. The Interim Army Guidance applies to active and Base Realignment and Closure (BRAC) installations.
2. The Army issued this interim guidance to provide the field specific information on how to conduct/staff/approve five-year reviews. The Army is also using the five-year review as a tool to ensure the existing remedial and monitoring systems subject to the review are operating in the most cost-effective manner. The guidance is being issued as interim because the U.S. Environmental Protection Agency (EPA) is in the process of revising its five-year review guidance. Although many of the principals of the EPA's draft revised guidance have been incorporated into the Army's interim guidance, there may be changes to the final EPA guidance that would require changes to Army guidance. Once the EPA's final guidance is available, it will be evaluated by the U.S. Army Environmental Center (USAEC), who will provide a recommended final guidance that incorporates any appropriate changes. It is anticipated that this will occur later this calendar year.
3. Major areas of interest to the installations/major Army commands (MACOMS) covered in the guidance include:
 - **Planning:** Five-year reviews need to be conducted within five years of the date when on-site construction started for the remedy in question. Money needs to be programmed at least two quarters before such a review is required to ensure it is completed in a timely fashion.
 - **Funding:** Installations need to identify requirements of approximately \$25,000 for five-year reviews in their installation restoration cost-to-complete (CTC) estimates, and program these requirements in their Defense Site Environmental Restoration Tracking System (DSERTS).

3.

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- **Execution:** Installations (MACOMS for BRAC installations where no staff remain), are responsible for ensuring that five-year reviews are conducted. The U.S. Army Corps of Engineers' local districts are a good option for conducting such reviews, as many of them have had previous five-year review experience.
- **Approval:** The installation commander will sign the five-year review. Five-year review reports for remedies requiring on-going operation and maintenance/monitoring that exceeds \$250,000 annually need to be concurred with by both the MACOM and USAEC. The EPA/State will be given an opportunity to review and comment on draft five-year review reports unless they have been given specific approval authority for five-year reviews in an existing Federal Facilities Agreement.
- **Content:** The five-year review includes a document review, site visit, and five year review report. The report should state whether the remedy is functioning as intended, whether the initial assumptions are still valid, and whether anything has occurred on-site that calls into question the protectiveness of the remedy. The guidance provides a five-year review template, an example report, a checklist and additional information that will help the installation conduct the five-year review.

More specific guidance on each of these areas is contained in the guidance.

More Information

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